

3361.

APPROVAL—BONDS, CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO, \$44,000.00, DATED SEPTEMBER 1, 1937.

COLUMBUS, OHIO, December 13, 1938.

Retirement Board, State Teachers Retirement System, Columbus, Ohio,
GENTLEMEN:

RE: Bonds of City of Cleveland, Cuyahoga County,
Ohio, \$44,000.00 (Limited).

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of two issues of refunding bonds dated September 1, 1937, bearing interest at the rate of 4% per annum, in the aggregate amounts of \$646,500.00 and \$529,662.00.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3362.

APPROVAL—BONDS, LIBERTY TOWNSHIP RURAL SCHOOL DISTRICT, UNION COUNTY, OHIO, \$42,000.00, DATED AUGUST 1, 1938.

COLUMBUS, OHIO, December 13, 1938.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of Liberty Twp. Rural School Dist.,
Union County, Ohio, \$42,000.00 (Unlimited).

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of school building bonds dated August 1, 1938, bearing interest at the rate of 3½% per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said school district.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3363.

LEGISLATIVE ENACTMENT — MANDATORY — WHEN CODE RECOGNIZED AS STANDARD ADOPTED — INTENT TO ADOPT EXISTENT CODE AT TIME STATUTE ENACTED — OHIO STATE BUILDING CODE — NATIONAL BOARD OF FIRE UNDERWRITERS 1923 NATIONAL ELECTRIC CODE — SEE SECTION 12600-35 G. C.

SYLLABUS:

1. *The legislature, when referring to a code adopted by a private agency recognized as a standard authority, in enacting legislation, intends to adopt such code in general use and in existencce when the adopting statue is enacted.*
2. *Section 12600-35, General Code, which is one of several sections in Part II, Title 1 of the Ohio State Building Code, which provides that all materials and installation shall be in strict accordance with the National Board of Fire Underwriters 1923 National Electric Code, is mandatory.*
3. *When the 1923 National Electric Code was adopted by reference in the enactment of Section 12600-35, General Code, the provisions of such National Electric Code must be adhered to although such provisions are now obsolete.*

COLUMBUS, OHIO, December 13, 1938.

HON. O. B. CHAPMAN, *Director, Department of Industrial Rlations, Columbus, Ohio.*

DEAR SIR: This will acknowledge receipt of your letter of recent date which reads as follows:

“I respectfully petition your office for an official opinion on the following matters. Section 12600-35 of the Ohio General Code, and continued in the Ohio State Building No. 102 covering Theaters and Assembly Halls, reads as follows: